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NINETY-EIGHTH CONGRESS

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FEDERAL EMPLOYEES' PAY EQUITY ACT OF 1984
H.R.4599

PURPOSE: To promote pay equity and eliminate certain wage-setting practices within the Federal civil service system which discriminate on the basis of sex, race, or ethnicity and result in discriminatory wage differentials.

SOURCE: Introduced by Congresswoman Mary Rose Oakar of Ohio on January 23, 1984, and referred to the Committee on Post Office and Civil Service.

BACKGROUND: The Federal government is the largest single employer in the country with approximately 2.8 million workers. Nearly 1.3 million Federal workers are general schedule employees. Their pay is determined in part by a principle which states "equal pay should be provided for work of equal value with appropriate consideration of both national and local rates paid by employers in the private sector..." (2301(b)(3) title 5, United States Code). A formalized standard, the Factor Evaluation System (FES), now determines over 50 percent of the general schedule occupations by quantitatively measuring the value of certain jobs within the general schedule. FES, however, is limited in its ability to objectively determine the value of Federal occupations because it remains tied to a classification standard which was developed in 1923.

Consequently, women workers, who comprise 33 percent of the Federal labor force, are clustered in low-paying occupations, general schedule grades 1-7. Very often these women are secretaries, clerk typists, and nurses and earn an average annual salary of $16,000. Male Federal workers, on the other hand, typically occupy jobs in the middle grades, averaging $28,000 annually.

SUMMARY: Section 1 of the Act establishes the short title: "Federal Employees' Pay Equity Act of 1984."

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Section 2 explains the findings and purpose. The bill assumes that the earnings of full-time female workers are significantly lower than full-time male workers. The discrepancy in pay is a result of wage setting practices based on sex, race, or ethnicity, rather than education, training, skills, effort, responsibility, and experience for a job.

Despite present guarantees in Federal law, women who work for the Federal government are subject to discriminatory wage practices also.

The purpose of this Act is to eliminate discriminatory wage practices by providing for an equitable job evaluation. A non-discriminatory wage system would establish wage rates upon work performed rather than the sex, race, or ethnicity of the employee and bring Federal wage setting practices into compliance with 2301(b)(3) of title 5, United States Code.

Section 3 of the bill defines the terms: Federal agency--any agency of the Federal government or the District of Columbia, including any Executive agency as defined in section 105 of title 5 of the United States Code, the United States Postal Service and the Postal Rate Commission, the Library of Congress, the General Accounting Office, and the Office of Technology Assessment; Discriminatory wage setting practices--the setting of wage rates paid for jobs held predominantly by female workers lower than those paid for jobs held predominantly by male workers although the work performed requires comparable skills; Discriminatory wage differentials--different rates of compensation resulting from utilization of discriminatory wage-setting practices; Job-evaluation technique--an objective method of determining the comparative value of different jobs; Equitable job-evaluation technique--a job-evaluation technique which to the maximum extent feasible, does not include components for determining the comparative value of a job that reflects the sex, race, or ethnicity of the employee.

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Section 4 of the Act outlines specific activities for the Office of Personnel Management. The Office of Personnel Management shall conduct a study (to be submitted to the President and the Committee on Post Office and Civil Service of the House of Representatives and the Committee on Governmental Affairs of the Senate no later than six months after enactment of this legislation) containing its findings with respect to discriminatory wage practices and variances in position-classification, an outline for eliminating discriminatory practices, a timetable to carry out the changes, and a plan to assist other Federal agencies in implementing non-discriminatory wage practices.

Prior to submitting the final report, the Office of Personnel Management shall submit monthly interim reports, explaining the progress of the study and informing the Committees of any methods or standards proposed in assessing discriminatory wage-setting practices.

The Office of Personnel Management shall also submit to the President and the appropriate Congressional Committees no later than February 1, 1986 (and each February 1 thereafter), a detailed report explaining the actions the Office has taken in eliminating pay discrimination.

Section 5 of the Act states that each Federal agency shall submit an equal employment opportunity plan describing its activities in this area.

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